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December 21, 2023

**VIA ELECTRONIC FILING**

Hon. Brian R. Martinotti  
U.S. District Court for the District of New Jersey  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street  
Newark, New Jersey 07102

**Re: Mark Sokolich, et al f. United States Department of Transportation et al  
Civil Action No.: 2:23-cv-21728-BRM-LDW**

Dear Judge Martinotti:

The undersigned represents Plaintiffs in the above-referenced action. We are writing to advise the Court that we intend to move to consolidate this action with the first-filed related action commenced by the State of New Jersey, entitled *State of New Jersey v. United States Department of Transportation et al*, Civil Action No. 2:23-cv-03885.

In the interim, we seek permission to appear in the first-filed action for purposes of taking a position with respect to Defendants' Cross-Motion for Summary Judgment (ECF 79-1) as well as, the Brief of Amici Curiae filed in Support of Defendants' Cross-Motion for Summary Judgment (ECF No. 78-1).

We thank the Court for your consideration.

Respectfully submitted,

NAGEL RICE, LLP

/s/ Bruce H. Nagel

BRUCE H. NAGEL

cc: Counsel for All Parties (via ECF)